

SUBJECT: ASSURANCE OF COMPLIANCE REQUIREMENTS

1. Purpose: To update the procedures to allow for electronic signature of the Assurance of Compliance Form (DOE F 1600.5) in accordance with guidance provided in Financial Assistance Letter 2002-03 and to update a DOE Order reference.
2. Effective Date: Upon Issuance
3. Supersedes: FAH-08D dated 03/01/01.
4. Applicability: All Financial Assistance recipients
5. References:
  - a. 10 CFR 600.117
  - b. Director, DOE Office of Economic Impact and Diversity (Corlis Moody) letter dated 4/19/95
  - c. DOE Order 311.1B, Equal Employment Opportunity (EEO) and Diversity Program
  - d. 10 CFR 1040
  - e. Financial Assistance Letter (FAL) 2002-03 dated 12/06/02
6. Procedure:
  - a. Assurance of Compliance Form (DOE F 1600.5)

An Assurance of Compliance form (DOE F 1600.5) shall be obtained from each recipient of Federal financial assistance. Before requesting the Assurance of Compliance form from a recipient, Contract Specialists shall check the CH-ACQ Central Repository to see if a valid form is already on file. Contract Specialists are responsible for reviewing the Assurance of Compliance form for completeness. This includes checking for the name, address and phone number of the applicant, the signature of the Authorized Official and a date. The requirement for a second signature has been deleted. **NOTE: FAL 2002-03, Implementation of DOE's Industry Interactive Procurement System (IIPS), dated 12/06/02, authorizes the acceptance of an electronic signature on applications, certifications and assurances submitted through IIPS. The name of the authorized organizational representative must be typed in the signature block on the form to be accepted as an electronic signature.**

- b. Assurance of Compliance EEO Pre-Award Review

ACQ-SD is responsible for Assurance of Compliance EEO pre-award reviews. ACQ-SD will obtain an external Assurance of Compliance EEO pre-award review for financial assistance awards when the total estimated cost of a single budget period, or the aggregate total of all budget periods within the project period, exceeds \$200,000.

Requests for Assurance of Compliance EEO pre-award reviews shall be transmitted to ACQ-SD via DOE-CH Form 415d with copies of the Assurance of Compliance and Procurement Request Authorization (PR) forms attached. For actions less than \$200,000, the PR is not required. In cases where the processing of a request is required prior to receipt of the recipient's completed Assurance of Compliance form, a note to this effect should be made in the "Comments" section of the DOE-CH Form 415d. ACQ-SD will proceed with obtaining the clearance. However, the EEO pre-award clearance will not be released until ACQ-SD receives the completed Assurance of Compliance form.

c. CH-ACQ Central Repository

ACQ-SD will place all forwarded Assurance of Compliance forms, and the results of any Assurance of Compliance EEO pre-award reviews, in the CH-ACQ Central Repository. An expiration date will be assigned to each Assurance of Compliance form, one year from the Authorized Official signature date. ACQ-SD will notify the Contract Specialist of the assigned expiration date via e-mail. Contracting Officers will notify the awardee of the Assurance of Compliance form (DOE F 1600.5) expiration date via Form AA-84A.

ACQ-SD will be responsible for monitoring the assigned Assurance of Compliance expiration dates. Approximately two months prior to the expiration date of a recipient's Assurance of Compliance (DOE F 1600.5), ACQ-SD will notify the cognizant ACQ Operations Division Team Secretary, via e-mail (with copies to the cognizant Team Leader and Contract Specialist, and the ACQ Operations Division Director), of the upcoming expiration date. If a continuing relationship with the recipient is anticipated, the Contract Specialist shall obtain an updated Assurance of Compliance form (DOE F 1600.5) from the recipient. Form AA-84D, Assurance of Compliance Expiration Notice, is available for use in requesting an updated submission.

No later than 30 days after ACQ-SD's expiration notification, the cognizant ACQ Operations Division Team Secretary, or cognizant Contract Specialist, shall either (1) provide ACQ-SD with an updated Assurance of Compliance (DOE F 1600.5) via DOE CH Form 415d, completed accordingly (see paragraph b. above), or, (2) if the award is moving into closeout and a continuing relationship with the recipient is not anticipated, shall advise ACQ-SD that the Assurance of Compliance data can be deleted from the CH-ACQ Central Repository. If ACQ-SD does not receive a response to its expiration notification within 30 days, the recipient will automatically be deleted from the CH-ACQ Central Repository.

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